**Date Submitted: \_\_\_\_\_\_\_\_\_**

**Approved by: \_\_\_\_\_\_\_\_\_**

**Approval Date: \_\_\_\_\_\_\_\_\_**

**Audit Review Date: \_\_\_\_\_\_\_\_\_**

**TECHNOLOGY CONTROL PLAN (TCP)**

A TCP outlines procedures to follow when a project requires a plan to protect information and the material is identified under applicable federal directives that govern the control and export of critical information or technology. The plan explains how the controlled information is protected and secured and to also ensure that no transfer of technical information or data or a defense service (defined in ITAR 120.10 &120.9) occurs unless authorized by the Department of State Office of Defense Trade Controls or Department of Commerce, Bureau of Industry and Security.

The procedures contained in this plan apply to all elements of the research activity conducted at University of Massachusetts Dartmouth (UMASSD). Disclosure of information to foreign persons in a visitor status or in the course of their employment by UMASSD may be considered an export disclosure under the International Traffic in Arms Regulations (ITAR) or Export Administration Regulations (EAR) and requires a license or approval of either a Technical Assistance Agreement or a Manufacturing License Agreement. For questions, contact Stephanie Pena via email at spena4@umassd.edu.

**SECTION A. General Information**

|  |  |
| --- | --- |
| **Principle Investigator (PI) Name**: **Email Address**: **Phone**: | **Responsible Entity:** **Email Address:** **Phone:**  |
| **Department & Address**: | **Location Covered by TCP** *(Building and Room No.):*  |
| **Effective Dates of TCP:** **TCP Start Date:** 07/20/2023**TCP Estimated End Date:**  |  |

**1. Project Title**:

**2. Sponsored Research:** [ ] Yes [ ] No *If yes, Sponsor Name and Contact Information:*

3**. Technical Description of Item/Technology/Equipment/Software to be Controlled:**

**4. Is an agreement involved?** [ ] Yes [ ] No

*If yes and foreign persons are involved, they must sign and acknowledge that controlled or sensitive information will not be further disclosed, exported, or transferred unless authorized to do so.*

**5. Reason for Control. List specific elements of export-controlled information, both controlled or sensitive, that can be disclosed to restricted persons and the program the restricted person is supporting:**

**6. Does the contract provide for the prior approval of any release of information?** [ ] Yes [ ] No

If yes, describe how you will comply with this requirement:

*Note: For**Project Close-Out. Please notify OIEC at the completion of the project and expected next steps.*

**SECTION B. Required Elements of TCP**

Each of the following elements must be addressed to control information, technology, or materials:

**1. Commitment:** *Describe the laboratory/department’s export compliance reporting structure and identify the supervisor(s) responsible for implementing the TCP:*

**2. Physical Security**: *Describe how equipment, items, and data are shielded and secured from access by unauthorized persons and include security systems, access controls and operating rules, personnel who have access.*

**a) Physical Location**:

**b) Physical Security**: *Describe the plan specifically designed to protect your item/technology from unauthorized access such as how doors are secured, signage to limit access, security badges, etc.):*

**c) Perimeter Security Provisions**: *Describe additional perimeter security features of the location of the protected technology/items, include who has access to the area and how access will be limited:*

**3. IT and Information Security Plan**: *Describe measures taken to secure controlled electronic information and implement access controls, including user ID and password controls, data discard policy, database and software access, network security, and any additional plans for controlling access to controlled information, etc. Security measures must follow UMass Policies as well as all state and federal laws. Audit and enforcement of these elements will be conducted periodically throughout the life of the TCP.*

**a) Describe IT security setup/system for each location covered by this TCP:**

**b) Describe IT security plan for data for this project** *(password access, firewall protection plans, encryption):*

**c) IT Security Management for Verification of Technology/Item Authorization:** *Describe security management of individuals with access will be added and removed from working project:*

**d) Conversation Security**: *Describe where/how project discussions will occur to avoid a deemed*

*export or transfer of any information to unauthorized personnel:*

**e) IT Administrator(s):** *(For ITAR projects, this must be a US person and is the only person(s) authorized to assist with IT security for this project): List names and contact information:*

**4. Item Security**

**a) Item Marking.** *Describe how export-controlled items or information is marked and identified:*

Software will be labeled within corresponding password protected folder.

**b) Item Storage.** *Describe how data, notebooks, reports and research materials are stored.*

|  |  |  |
| --- | --- | --- |
| **Item Type** | **Security Measures** | **Storage Notes** |
|  |  |  |
|  |  |  |
|  |  |  |

**5. Project Personnel**:  *List all personnel who will have access to the controlled technology and include citizenship status. All personnel are required to provide proof of citizenship to OIC to acquire TCP approval. No foreign persons are to be given access to any controlled or sensitive material on any project or program that involves the disclosure of technical data as defined by ITAR or EAR until that individual’s license authority has been approved, if appropriate. UMASSD employees with supervisory responsibilities for foreign persons must receive an export control/licensing briefing that addresses relevant ITAR and EAR requirements as they pertain to controlled or sensitive information.*

**a) Personnel with Access to Controlled Materials**

|  |  |  |
| --- | --- | --- |
| **Names of Personnel with Access to Controlled Materials** | **US Person?**  | **For OIEC Use Only** |
| **Method of Verification:**  | **Visual Compliance Clearance:**  |
| 1) | [ ] Yes [ ] No  | Driver’s license or passport | [ ]  *Cleared*  [ ]  *Not Cleared**Date:* *Notes:*  |
| 2) | [ ] Yes [ ] No  | Driver’s license or passport | [ ]  *Cleared*  [ ]  *Not Cleared**Date:* *Notes:* |

**Additional Personnel:**

*Note: Additional personnel may not be granted access to controlled materials of this project unless specifically authorized by the Office of Institutional Ethics & Compliance (OIEC). Please file an amendment to this TCP by submitting a memo to OIEC with the name of the person(s), citizenship information, and anticipated start date.*

**b) Foreign National Approval.** *List the name(s) and citizenship of foreign nationals for which you are requesting a license or regulatory approval to participate in the project. If the contract requires sponsor or other approval of assignment of restricted person personnel, describe the process of how that requirement is met:*

**c) Third Party Contractors.** *Describe security screening procedures for temporary employment agencies, contractors, etc.:*

**d). Personnel Screening Procedures.** *Describe how lists will be verified so no personnel assigned to work on the project are on any denied party list at* [*www.bis.doc.gov/ComplianceandEnforcement/ListsToCheck.htm*](http://www.bis.doc.gov/CompianceandEnforcement/ListsTCheck.htm)*):*

**e) Background Check.** *If restricted persons are to be involved in any aspect of the project that involves access to controlled or sensitive material they must have a background check.*

Has a background check been completed? [ ] NA [ ] Yes [ ] No

**6. Training and Awareness**. *Describe how ongoing export compliance training is provided. Describe training schedule and requirements for persons with access to controlled information:*

**7. Self-Evaluation**: *Describe the internal audit process to review records and report findings to administrators:*

**7. List any attachments included with this TCP**

**[x]  Usage Agreement:** (*Identify by Name)*

**[x]  Other**:Email clarification from PI

**[x]  Other**: Associated Grant documentation for: *(Identify by Name)*

**SECTION C. Employee Responsibilities and Briefing Acknowledgement.**

I understand my responsibilities in regard to this TCP and the procedures to be followed for activities related to this work. By signing below, I acknowledge that I have received and reviewed a copy of this TCP, have been briefed on export compliance requirements, and agree to comply with all of the elements of the TCP and the UMass Dartmouth Export Control Compliance Guidelines. Including:

* I acknowledge and understand that any technical data related to items on the Commerce Control List or defense articles on the U.S. Munitions List to which I have access, or which is disclosed to me in the course of my employment or assignment at/by UMASSD, is subject to export control. I hereby certify that such data or services will not be further disclosed, exported, or transferred in any manner to any foreign national or any foreign country without prior written approval of the U.S. Department of Commerce or the U.S. Department of State and in accordance with U.S. government regulations.
* I understand that NO documents, materials, items, or technology under my control that contain technical data or controlled information will be released to or shared with any unauthorized foreign national.
* I understand that no technical information or defense service may be forwarded or provided to a foreign national regardless of the foreign national’s location (unless an export authorization has been approved and issued to UMASSD in accordance with the ITAR or EAR).
* I have been informed and understand that violations of security procedures and UMASSD regulations are subject to UMASSD sanctions as outlined in the Export Control Guidelines, in addition to any possible civil and criminal penalties imposed by the U.S. government. In recognition of the seriousness of non-compliance with export control regulations, UMASSD will address non-compliance with the PI, UMASSD Office of Human Resources, Provost, and Office of General Counsel, as necessary.
* As a UMASSD employee, I agree to be responsible for export control compliance, and am aware of the substantial criminal and civil penalties imposed for violation of the export regulations, including personal liability, monetary fines, and imprisonment.
* If any violations of this TCP or any breaches of security occur, any suspicious activities or contacts that appear to be of an intelligence gathering nature, or if an export authorization is required I agree to contact the Director of OIEC, Stephanie Pena, via email to spena4@umassd.edu immediately.

**Signature(s)**

I have read and understand the Briefing on the Handling of Export-Controlled Information, and I agree to comply with the requirements outlined in the TCP for this project.

Printed Name: Role: Date:

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Return signed TCP to Stephanie Pena, Institutional Compliance at spena4@umassd.edu.

**SECTION D. OIEC Approval and Documentation.**

[ ]  All personnel provided proof of citizenship and have been briefed about export compliance regulations and UMASSD Policies, and have been informed of their obligations to not disclose any information to foreign persons.

[ ]  TCP documentation is on file with the Office of Institutional Ethics & Compliance.

[ ]  TCP spreadsheet has been updated with this new TCP and OIEC Director notified.

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**DIEC Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SECTION E. OIC Audit Process.**

a) Frequency for TCP review: Annual

b) Audit findings:

c) Action items and corrective procedures to address audit findings:

d) Additional notes:

**SECTION F. TCP Close-out Process.**

[ ]  PI has indicated that project is complete, and all controlled materials have been returned to source.

[ ]  Project is completed and UMASSD is retaining controlled or sensitive data/materials until **(enter date)** and TCP will remain in effect while data/materials are at UMASSD.

[ ]  Results of the project have been published in accordance with the sponsor's specifications. TCP is no longer necessary.

[ ]  TCP spreadsheet has been updated and OIEC Director notified.

**Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**DIEC Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**